

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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|---------------------------------|---|------------------------------|
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| In re VEECO INSTRUMENTS, INC. . | : | Case No.: 7:05-md-01695 (CM) |
| SECURITIES LITIGATION | : | |
| ----- | X | |
| ----- | X | |
| THIS DOCUMENT RELATES TO | : | |
| ALL ACTIONS | : | |
| ----- | X | |

**DECLARATION OF JEFFREY L. OSTERWISE IN SUPPORT
PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF DOCUMENTS
CONCERNING VEECO'S INTERNAL INVESTIGATION**

REDACTED

**(ORIGINAL UNREDACTED VERSION FILED UNDER SEAL PURSUANT
TO CONFIDENTIALITY ORDER DATED MAY 16, 2006)**

Jeffrey L. Osterwise, hereby declares as follows:

I, Jeffrey L. Osterwise, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am an associate of the law firm of Berger & Montague, P.C., lead counsel for Plaintiffs in this litigation.

2. I submit this Declaration in support of Plaintiffs' Motion To Compel Production of Documents Concerning Veeco's Internal Investigation.

3. Attached hereto as Exhibits are true and correct copies of the following:

| <u>Exhibit No.</u> | <u>Description</u> |
|--------------------|--|
| A | Plaintiffs' First Request for Production of Documents Directed to All Defendants, dated April 6, 2006. |
| B | Press Release of Veeco Instruments, Inc. dated February 11, 2005. |
| C | Press Release of Veeco Instruments, Inc. dated March 16, 2005, and Veeco Form 8-K filed March 16, 2005 with same press release attached. |
| D | REDACTED |
| E | REDACTED |
| F | Press Release of Veeco Instruments, Inc. dated March 15, 2005. |
| G | REDACTED |

H

Article dated March 18, 2005 published on compoundsemiconductor.net titled "Veeco accounts investigation reveals no fraud."

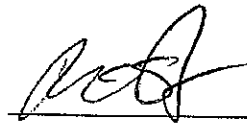
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Objections and Responses by Defendants Veeco Instruments, Inc., Edward H. Braun, John F. Rien, Jr., and John P. Kiernan to Plaintiffs' First Request for the Production of Documents.

Dated: August 21, 2006


Jeffrey L. Osterwise